

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHYSICAL THERAPY

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 2175.) The Governor's Office authorized the notice to proceed through the rulemaking process on June 27, 2011.

[R11-160]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 24, Board of Physical Therapy
Article and its heading: 1, General Provisions; and 2, Licensing Provisions
Section numbers: R4-24-101, R4-24-107, R4-24-202, R4-24-203, Table 1, R4-24-210, R4-24-211, R4-24-212, and R4-24-213 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The legislature recently amended the Board's organic statutes to require that a business entity that offers physical therapy services to the public register with the Board and required the Board to make rules necessary to enforce the statutes in practice settings not regulated by the Department of Health Services. The Board is making the required rules. The legislature also amended the organic statutes to require the Board to administratively suspend a license or certificate that is not timely renewed under the Board's rules. The Board is also making rules to address this requirement.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 17 A.A.R. 2144, October 28, 2011 (*in this issue*)
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Charles D. Brown, Executive Director
Address: Board of Physical Therapy
4205 N. 7th Ave., Suite 208
Phoenix, AZ 85013
Telephone: (602) 274-0236
Fax: (602) 274-1378
E-mail: Charles.brown@ptboard.az.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Notice of Proposed Rulemaking: 17 A.A.R. 2144, October 28, 2011 (*in this issue*)

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

GROUP HOMES FOR INDIVIDUALS WHO ARE DEVELOPMENTALLY DISABLED

Editor's Note: The following Notice of Rulemaking Docket Opening was reviewed per Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 2175.) The Governor's Office authorized the notice to proceed through the rulemaking process on September 30, 2011.

[R11-159]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 33, Department of Health Services – Group Homes for Individuals Who are Developmentally Disabled

Notices of Rulemaking Docket Opening

Articles and their headings:

1, Licensure Requirements; 2, Group Home Requirements

Section numbers:

R9-33-101 through R9-33-107 and R9-33-201 through R9-33-207

(Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rules:

In the past several months, the Department has received numerous requests for rulemaking, from those who provide group homes for individuals who are developmentally disabled, expressing concerns about some burdensome requirements in the rules in *Arizona Administrative Code* (A.A.C.) Title 9, Chapter 33. The Department is proposing to amend the rules in 9 A.A.C. 33 to address these concerns. The Department received an exception from the Governor's rulemaking moratorium, established by Executive Order 2011-05, to amend the rules. The proposed amendments will conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State.

The agency docket number:

RE-001-12

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rules:

Name: Rohno Geppert, Office Chief

Address: Department of Health Services
Office of Special Licensing
150 N. 18th Ave., Suite 460
Phoenix, AZ 85007

Telephone: (602) 364-3048

Fax: (602) 364-4769

E-mail: gepperr@azdhs.gov

or

Name: Thomas Salow, Manager

Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 203
Phoenix, AZ 85007

Telephone: (602) 542-1020

Fax: (602) 364-1150

E-mail: Thomas.Salow@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item 4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking